

Jon T. Pearson
Nevada Bar No. 10182
Caitlan J. McMasters
Nevada Bar No. 16585
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
(702) 669-4600
(702) 669-4650 fax
jtpearson@hollandhart.com
cjmcmasters@hollandhart.com

Counsel for Perry Brian Oshiro

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PERRY BRIAN OSHIRO,

Plaintiff,

v.

M. BACHMAN,

Defendant.

Case No.: 2:22-cv-2100-APG-BNW

**STIPULATION AND ORDER TO EXTEND TIME
FOR PLAINTIFF PERRY BRIAN OSHIRO TO
RESPOND TO DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

Related to ECF No. 46

(First Request)

In accordance with Rule IA 6–1 of the Local Rules of Civil Practice for the United States District Court for the District of Nevada and Rule 6(b) of the Federal Rules of Civil Procedure, Plaintiff Perry Brian Oshiro and Defendant Marissa Bachman, through their respective counsel, stipulate and agree as follows:

1. On June 14, 2023, this Court entered an order granting Oshiro's motion for appointment of counsel (ECF No. 23).

2. On December 6, 2023, Bachman moved for summary judgment (ECF No. 46).

3. Oshiro's response to the summary-judgment motion was due on December 27, 2023. *See* LR 7–2(b).

4. On January 3, 2024, counsel was appointed as pro bono counsel for Oshiro (ECF No. 49).

5. When the appointment order was entered, Oshiro's counsel was out of the country and only recently returned. Counsel for Oshiro has not even been able to connect with his client.

6. Although pro bono counsel was not appointed until after the deadline to respond to the summary-judgment motion, Oshiro's failure to file his response before the deadline was the result of excusable neglect. He likely was under the impression that counsel would respond on his behalf, and allowing his appointed counsel to respond should help better facilitate resolution of that motion.

7. To accommodate the recent appearance of Oshiro's counsel and to provide sufficient time to Oshiro's counsel to discuss this matter with him, the parties have agreed to an extension of the deadline for Oshiro to file his response to the summary-judgment motion.

8. The parties thus stipulate that Oshiro may have 30 days from the entry of the order approving this stipulation to file a response to the summary-judgment motion.

9. This is the first request for an extension of time and is made in good faith and to allow Oshiro time to brief the issues raised by Bachman. This request is not meant for purposes of delay.

Dated: February 2, 2024

/s/ Jon T. Pearson

Jon T. Pearson
Caitlan J. McMasters
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

Counsel for Perry Brian Oshiro

/s/ E. Matthew Freeman

Robert W. Freeman, Jr.
E. Matthew Freeman
LEWIS BRISBOIS BISGAARD & SMITH LLP
6385 S. Rainbow Blvd., Suite 600
Las Vegas, Nevada 89118

Counsel for Defendant Officer Marissa Bachman

Order

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

Dated: February 5, 2024